

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

11 CONNIE ARNOLD, ) Case No.: 10-CV-01987-LHK  
12 Plaintiff, )  
13 v. ) ORDER VACATING HEARING ON  
14 PNS STORES INC.; 200 SIERRA WAY LLC; ) ORDER TO SHOW CAUSE  
and DOES 1-10, inclusive, )  
15 Defendants. )

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17 The Complaint in this case was filed on May 7, 2010. Because the Complaint asserts  
18 violations of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12101 et seq., General  
19 Order 56 applies. Under General Order 56, the Court set a schedule with deadlines for certain  
20 events. *See* Dkt. No. 4. According to this schedule, the parties were to complete a joint site visit  
21 no later than August 16, 2010, and had up until 45 days from that date to file a “Notice of Need for  
22 Mediation.” Therefore, the “Notice of Need for Mediation” was due on September 30, 2010. No  
23 such document was filed by the September 30, 2010 deadline.

24 Accordingly, the Court issued an Order to Show Cause why the case should not be  
25 dismissed for failure to prosecute on January 14, 2011. On January 19, 2011, the Plaintiff in this  
26 matter filed a Notice of Need for Mediation, stating that the parties had conducted a joint site  
27 inspection on November 10, 2010 (over three months after the deadline). It is now more than eight  
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1 months since the case was filed, and over three months since the deadline for filing a "Notice of  
2 Need for Mediation" passed.

3 The Court will permit this matter to progress to mediation, and hereby VACATES the  
4 February 14, 2011 response date for Plaintiff's response to the Order to Show Cause, and the  
5 March 24, 2010 hearing on that Order. However, the Court will not grant further continuances  
6 without a compelling reason to do so. If the parties wish to seek relief from Court-ordered  
7 deadlines they must seek this relief before the deadlines have passed, and must provide good  
8 reasons for any continuance.

9 **IT IS SO ORDERED.**

10 Dated: January 20, 2011

  
LUCY H. KOH  
United States District Judge